

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/925,838	08/08/2001	Andy Stentz	PH01-01-02

27774  
MAYER, FORTKORT & WILLIAMS, PC  
251 NORTH AVENUE WEST  
2ND FLOOR  
WESTFIELD, NJ 07090

CONFIRMATION NO. 3872

## FORMALITIES LETTER



\*OC000000006813725\*

Date Mailed: 09/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/01/2002 SZEWDIEI 00000023 501047 09925838

FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 CH  
02 FC:205 65.00 CH  
03 FC:203 135.00 CH

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$135.
  - \$135 for 15 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 555.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

*A copy of this notice MUST be returned with the reply.*

(M)

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)Docket No.  
PH01-01-02

In Re Application Of: Andrew John Stentz

Serial No.  
09/925,838Filing Date  
8/8/01Examiner  
UnassignedGroup Art Unit  
2872Invention: OPTICAL AMPLIFIER HAVING AUTOMATIC GAIN CONTROL WITH IMPROVED  
PERFORMANCETO THE ASSISTANT COMMISSIONER FOR PATENTS:Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
9/28/01  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ not required verified small entity declaration(s)
- ☐ is/are attached.
- ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☒ Other (list):

Recordation Form Cover Sheet, Patents Only  
Assignment in favor of Photuris, Inc.  
6 sheets substitute drawings in compliance with 37 CFR 1.84

<b>Response To Notice To File Missing Parts Of Application</b> <b>Filing Date Granted (PTO-1533)(Small Entity)</b>			Docket No. <b>PH01-01-02</b>	
In Re Application Of: <b>Andrew John Stentz</b>				
Serial No. <b>09/925,838</b>	Filing Date <b>8/8/01</b>	Examiner <b>Unassigned</b>	Group Art Unit <b>2872</b>	
Invention: <b>OPTICAL AMPLIFIER HAVING AUTOMATIC GAIN CONTROL WITH IMPROVED PERFORMANCE</b>				
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> <u>Attention: Manager, Application Branch</u>				
<input checked="" type="checkbox"/> Completion of application fees as calculated below:				
<input checked="" type="checkbox"/> Utility application filing fee			<b>\$370.00</b>	
<input type="checkbox"/> Design application filing fee				
<input checked="" type="checkbox"/> Total number of independent claims = <u>3</u>				
<input checked="" type="checkbox"/> Total number of claims = <u>35</u>			<b>\$135.00</b>	
<input type="checkbox"/> Multiple dependent claims				
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath			<b>\$65.00</b>	
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor				
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification				
<input type="checkbox"/> Fee for processing and retention of application				
Total completion of application fees			<b>\$570.00</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.				
<input type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months				
from: _____ until: _____				
<i>Date</i> <span style="margin-left: 150px;"><i>Date</i></span>				
Total time extension fees				
Total fees due			<b>\$570.00</b>	

<b>Response To Notice To File Missing Parts Of Application</b> <b>Filing Date Granted (PTO-1533) (Small Entity)</b>			Docket No. <b>PH01-01-02</b>	
In Re Application Of: <b>Andrew John Stentz</b>				
Serial No. <b>09/925,838</b>	Filing Date <b>8/8/01</b>	Examiner <b>Unassigned</b>	Group Art Unit <b>2872</b>	
Invention: <b>OPTICAL AMPLIFIER HAVING AUTOMATIC GAIN CONTROL WITH IMPROVED PERFORMANCE</b>				
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> <u>Attention: Manager, Application Branch</u>				
<p>The fee of <b>\$570.00</b> is to be paid as follows:</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <b>50-1047</b></p> <p>A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <b>50-1047</b></p> <p>A duplicate copy of this sheet is enclosed.</p>				
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;">Karin L. Williams</p> <p style="text-align: center; font-size: 0.8em;">Signature</p> </div> <div style="width: 45%;"> <p>Dated: <i>11/27/01</i></p> </div> </div> <div style="margin-top: 20px;"> <p><b>Karin L. Williams    Reg. No. 36,721</b>  <b>Mayer Fortkort &amp; Williams, PC</b>  <b>251 North Avenue West, 2nd Floor</b>  <b>Westfield, NJ 07090</b></p> <p><b>Tel.: 908-518-7700</b></p> </div>				
<div style="border: 1px solid black; padding: 5px;"> <p>I certify that this document and fee is being deposited on <i>11/27/01</i> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p> <div style="text-align: center; margin-top: 10px;"> <p style="font-family: cursive; font-size: 1.1em;">Marjorie Scariati</p> <p style="font-size: 0.8em;">Signature of Person Mailing Correspondence</p> </div> <div style="text-align: center; margin-top: 10px;"> <p><b>Marjorie Scariati</b></p> <p style="font-size: 0.8em;">Typed or Printed Name of Person Mailing Correspondence</p> </div> </div>				
CC:				